

ASSEMBLY BILL

No. 2260

Introduced by Assembly Member Alejo

February 21, 2014

An act to amend Section 23321.7 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 2260, as introduced, Alejo. Licensees: on-sale general bona fide public eating place intermittent dockside license.

Under the Alcoholic Beverage Control Act, the Department of Alcoholic Beverage Control may issue an on-sale general bona fide public eating place intermittent dockside license for specified vessels. Vessels holding a license pursuant to these provisions may only sell and serve alcoholic beverages in the county where issued and to the general public aboard the vessel when the vessel is securely lashed on berth in the county for which the license is issued, as provided.

This bill would make technical, nonsubstantive changes to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 23321.7 of the Business and Professions
- 2 Code is amended to read:
- 3 23321.7. ~~The~~*An* on-sale general bona fide public eating place
- 4 intermittent dockside license for vessels of more than 7,000 tons
- 5 displacement may be issued for any vessel of more than 7,000 tons

1 displacement with cabin berth capacity for at least 75 passengers.
2 Each license issuable under this section shall be used only in the
3 county where issued, but a vessel qualified under this section may
4 be issued such a license in more than one county. Notwithstanding
5 the provisions of Section 23397, the licensee under each ~~such~~
6 license shall be authorized to sell alcoholic beverages to the general
7 public aboard the vessel respecting which the license is issued
8 when the vessel is securely lashed on berth in the county for which
9 the license is issued, provided that ~~such~~ these sales are incidental
10 to the passenger operations of ~~such~~ the vessel and ~~such~~ the
11 beverages are purchased from persons licensed to sell alcoholic
12 beverages for resale in this state. In no event shall the rights under
13 ~~any such~~ a license issued under this section be exercised in any
14 county during more than 100 calendar days in any calendar year.
15 Notwithstanding the provisions of Article 2 (commencing with
16 Section 23815) of Chapter ~~5 of this division~~, 5, there shall be no
17 limitation, other than provided in this section, on the number of
18 licenses that may be issued under this section to applicants who
19 meet its requirements. Except as otherwise specifically provided
20 in this section, all provisions of this division shall apply to any
21 license issued under this section in the same manner as ~~such~~ those
22 provisions apply to an on-sale general license issued for a bona
23 fide public eating place, provided that no caterer's permit may be
24 issued pursuant to Section 23399 with respect to any license issued
25 hereunder, and provided further that any duplicate license issued
26 pursuant to Section 24042 respecting ~~such~~ that vessel shall bear
27 the same fee specified by ~~subdivision (35) of~~ Section 23320.